

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY

INITIAL STATEMENT OF REASONS

Hearing Date: April 16, 2004

Subject Matter of Proposed Regulations: Assessment of Administrative Fines

Sections Affected: Title 16, Division 39, California Code of Regulations, Section 4141.

SPECIFIC PURPOSE OF THE REGULATIONS:

The specific purpose of the proposed regulations is to amend California Code of Regulations section 4141 to specify that administrative fines proposed by the Board of Occupational Therapy would not be more than \$5,000 for each violation.

FACTUAL BASIS/NECESSITY:

Existing law authorizes the Board to issue citations to licensees, certificate holders and unlicensed persons for violating the Occupational Therapy Practice Act or any regulations adopted thereto. The passage of Senate Bill 362 (Figueroa, Chapter 788, Statutes of 2003, increasing the amount of administrative fines to \$5,000, has made it necessary for the Board to amend section 4141 of the California Code of Regulations to reflect this increase.

UNDERLYING DATA:

None.

BUSINESS IMPACT:

This regulation will not have a significant adverse economic impact on business. The proposed regulations will only affect licensees, certificate holders or unlicensed persons.

SPECIFIC TECHNOLOGIES OR EQUIPMENT:

This regulation does not mandate the use of specific technologies or equipment.

CONSIDERATION OF ALTERNATIVES:

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulations.